

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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MARCUS ORLANDO SINGLETON,

Petitioner,  
v.

JUDY P. SMITH,

Respondent.

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ORDER

Case No. 15-cv-355-wmc

On July 16, 2015, I determined that petitioner Marcus Orlando Singleton did not qualify for indigent status and directed him to pay the \$5.00 filing fee in this case. Now petitioner has filed a motion to use his release account funds to pay his filing fee. Petitioner's motion will be denied; however, upon reconsideration of petitioner's trust fund account statement, I will grant his motion to proceed without prepayment of the filing fee.

In his motion, petitioner says does not have any funds in his regular account and cannot pay his filing fee. A review of petitioner's trust fund account statement shows that the account balance in his regular account is \$0.00 and he has not had any deposits since April 2, 2015. Accordingly, it appears that petitioner presently has no means with which to pay the filing fee for his petition. Under these circumstances, the court will grant petitioner's motion for leave to proceed without prepayment of the filing fee.

ORDER

IT IS ORDERED that:

1. Petitioner Marcus Orlando Singleton's motion for leave to proceed without prepayment of the filing fee is GRANTED.

2. Petitioner's motion to use his release account funds to pay the filing fee is  
DENIED as moot.

Entered this 5th day of August, 2015.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge